

REMARKS

Claims 1-21 are presently pending. Claims 1-12, 14, 15, and 17-21 are rejected. Claims 13 and 16 were objected but were indicated as allowable if rewritten in independent form. Assignee appreciates Examiner's indication of allowable subject matter.

Claims 1-2, 14, 15, and 17-21 were rejected under 35 U.S.C. § 103(a) as being obvious over Abraham (20040141549) in view of Harrison. Claims 3-12 were rejected under 35 U.S.C. § 103(a) as being obvious over various combinations of references including Abraham.

Assignee respectfully submits that 2004/0141549 to Abraham and the present invention at the time of the present invention were both assigned or subject to an obligation of assignment Global Locate. See Patent Assignment Abstract of Title, 2004/0141549 and Patent Assignment Abstract of Title, 2005/0174284.

“Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.” 35 U.S.C. § 103(c)(1).

Accordingly, Assignee traverses the rejections to claims 1-12, 14, 15, and 17-21 under 35 U.S.C. § 103(a).

Conclusion

For at least the foregoing reasons, each of the pending claims are in a condition for allowance and Examiner is requested to pass this case to issuance.

Please charge any required fees not paid herewith or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,



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